

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Board of Trustees of Ohio Laborers Fringe Benefit Programs,	:	
Plaintiff	:	Civil Action 2:12-cv-00386
v.	:	Judge Sargus
Stillion Brothers Excavating, Inc.,	:	Magistrate Judge Abel
Defendant	:	

**Order**

Plaintiff's August 6, 2012 motion for an order accelerating and compelling discovery (doc. 7) is GRANTED. Defendant has failed to answer or otherwise appear in this action, and default has been entered. The complaint seeks to compel an audit of defendant's payroll records, and production of the records and the testimony of its officer is necessary to complete the audit and to permit plaintiffs to seek any ultimate relief by way of a money judgment that may be appropriate. Because cause exists to accelerate the commencement of discovery pursuant to Civil Rule 26 and to compel the defendant to respond, it is hereby ORDERED that Defendant Stillion Brothers Excavating, Inc., through an authorized officer, appear for deposition on August 30, 2012 at 1:30 p.m. and produce the payroll documents requested in Plaintiffs' Notice of Deposition.

s/Mark R. Abel  
United States Magistrate Judge